E/2016/22
E/C.12/2015/3

Committee on Economic, Social and Cultural Rights

Report on the fifty-fourth, fifty-fifth and fifty-sixth sessions

(23 February-6 March 2015, 1-19 June 2015, 21 September-9 October 2015)

Economic and Social Council

Official Records, 2016

Supplement No. 2

United Nations

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E/2016/22
E/C.12/2015/3

Contents

Chapter		*Page*
I.	Organizational and other matters	5
	A. States parties to the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol	5
	B. Sessions and agenda	5
	C. Membership and attendance	5
	D. Pre-sessional working group	7
	E. Election of officers	8
	F. Organization of work	8
	G. Next sessions	8
	H. Reports of States parties scheduled for consideration by the Committee on Economic, Social and Cultural Rights at its upcoming sessions	8
II.	Overview of the present working methods of the Committee on Economic, Social and Cultural Rights	9
	A. Impact of measures adopted by the Committee to address the backlog	10
	B. General reporting guidelines	10
	C. Examination of the reports of States parties	10
	D. Follow-up procedure in relation to the consideration of reports	12
	E. Procedure in response to non-submitted and considerably overdue reports	13
	F. Submission of several reports in one document	13
	G. Action by the Committee with regard to information on economic, social and cultural rights received from sources other than States parties	14
	H. Day of general discussion	15
	I. Other consultations	15
	J. Participation of non-governmental organizations in the work of the Committee	16
	K. General comments	16
	L. Statements and letters adopted by the Committee	17
III.	Submission of reports by States parties under articles 16 and 17 of the Covenant	17
IV.	Consideration of reports submitted by States parties under articles 16 and 17 of the Covenant	18
V.	Activities of the Committee under the Optional Protocol	20
VI.	Substantive issues arising in the implementation of the Covenant	21
	A. Day of general discussion on draft general comment on article 7	21
	B. Statement on social protection floors: an essential element of the right to social security and of the sustainable development goals	21
VII.	Additional decisions adopted and matters discussed by the Committee at its fifty-fourth, fifty-fifth and fifty-sixth sessions	21

A. Participation in intersessional meetings 21
B. Future general comments and statements 21
C. Working methods of the Committee 22
VIII. Other activities of the Committee in 2015 23
IX. Adoption of the report 24
Annexes
I. Members of the Committee 25
II. Agendas of the Committee at its fifty-fourth, fifty-fifth and fifty-sixth sessions 26
A. Agenda of the fifty-fourth session of the Committee on Economic, Social and Cultural Rights (23 February-6 March 2015) 26
B. Agenda of the fifty-fifth session of the Committee on Economic, Social and Cultural Rights (1-19 June 2015) 26
C. Agenda of the fifty-sixth session of the Committee on Economic, Social and Cultural Rights (21 September-9 October 2015) 27

Chapter I
Organizational and other matters

A. States parties to the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol

1. As at 9 October 2015, the closing date of the fifty-sixth session of the Committee, 164 States were parties to the International Covenant on Economic, Social and Cultural Rights. The Covenant was adopted by the General Assembly in resolution 2200 A (XXI) of 16 December 1966 and opened for signature and ratification in New York on 19 December 1966. It entered into force on 3 January 1976, in accordance with the provisions of its article 27. The Optional Protocol to the Covenant was adopted by the General Assembly in resolution 63/117 on 10 December 2008 and was opened for signature and ratification in New York on 24 September 2009. It entered into force on 5 May 2013, three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification. The following 20 States have ratified the Optional Protocol: Argentina, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Cape Verde, Costa Rica, Ecuador, El Salvador, Finland, France, Gabon, Italy, Luxembourg, Mongolia, Montenegro, Niger, Portugal, Slovakia, Spain and Uruguay.

B. Sessions and agenda

2. In 2015, the Committee held three sessions: its fifty-fourth session from 23 February to 6 March; its fifty-fifth session from 1 to 19 June; and its fifty-sixth session from 21 September to 9 October. All three sessions were held at the United Nations Office at Geneva. The agenda for each session is included in annex II to the present report.

3. An account of the deliberations of the Committee at its fifty-fourth, fifty-fifth and fifty-sixth sessions is contained in the relevant summary records (E/C.12/2015/SR.1-6, 10, 20-38, 44, 50-54, 60-67, 70-71 and 78).

C. Membership and attendance

4. Three new members of the Committee were welcomed at the start of the fifty-fourth Session: Shiqui Chen, Olivier De Schutter and Rodrigo Uprimny. Mr. Chen was elected to replace Ms. Cong who resigned from the Committee on 2 July 2014.

5. The newly elected members of the Committee made their solemn declaration on 23 February 2015, in accordance with rule 13 of the Committee's rules of procedure.

6. A number of specialized agencies and United Nations organs and departments submitted information and observed the dialogues held during the fifty-fourth, fifty-fifth and fifty-sixth sessions.

7. The following non-governmental organizations (NGOs) in consultative status with the Economic and Social Council were represented by observers:

At the fifty-fourth session:	European Law Students Association, FIAN International

Special consultative status or roster:	Global Initiative for Economic, Social and Cultural Rights, International Commission of Jurists
At the fifty-fifth session:	Asian Forum for Human Rights and Development, FIAN International, International Lesbian and Gay Association — Europe, Make Mothers Matter
Special consultative status or roster:	Auspice Stella, Edmund Rice International, Global Initiative for Economic, Social and Cultural Rights, International Catholic Child Bureau, International Commission of Jurists, International Federation for Human Rights (FIDH), International Trade Union Confederation, Pro-Life Campaign, Franciscans International, US Human Rights Network, Human Rights Watch, International Bridges to Justice, Lutheran World Federation
At the fifty-sixth session:	Asian Forum for Human Rights and Development, European Law Students Association, FIAN International, International Commission of Jurists
Special consultative status or roster:	Global Initiative for Economic, Social and Cultural Rights, International Commission of Jurists, International Lesbian and Gay Association, Advocates for Human Rights, Un Ponte per Italy

8. Other national and international NGOs and coalitions of national NGOs were represented by observers at the fifty-fourth, fifty-fifth and fifty-sixth sessions, as follows:

(a) Fifty-fourth session: Aktion GEN-Klage, Bureau of Human Rights and Rule of Law Tajikistan, Consumers' Union of Tajikistan, Human Dignity Trust, International Disability Alliance, Netherlands Helsinki Committee, Norwegian Helsinki Committee, Nota Bene Tajikistan;

(b) Fifty-fifth session: Asamblea de Educación, Asia South Pacific Association for Basic and Adult Education Philippines, Autistic Minority International, Coalition on Economic and Social Cultural in Uganda, Centre for Economic Social Cultural Rights in Africa, Centre for Human Rights and Development Mongolia, Centre for Support of International Protection Kyrgyzstan, Child Rights Defenders League Kyrgyzstan, Clean Clothes Campaign, Community Resource Centre Thailand, Coalition of Pastoralist Civil Society Organisations Uganda, Corporacion Opción, DanChurchAid Denmark, DanChurchAid Uganda, Economic and Social Rights Centre Kenya, Education International, Family and Life, Family for Every Child, Fredrich-Ebert-Stiftung Geneva, Free Legal Advice Centres Ireland, Frente Indigena Cacique Waikaepuru, Ghana National Education Campaign Coalition, Global Campaign for Education, Human Dignity Trust, Initiative for Social and Economic Rights Uganda, International Disability Alliance, Irish Family Planning Association, Irish Human Rights and Equality Commission, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers, Justice for Magdalenes Ireland, Mobilising for Rights Associates, Movimiento de Pobladores y Pobladoras de Venezuela, Netherlands Helsinki Committee, Observatorio Nacional Ciudadano, Observatorio de Derechos Humanos y Legislación, Open Society Forum Mongolia, Open Society Foundation, Open Viewpoint Public Foundation Kyrgyzstan, Pestalozzi Children's Foundation Thailand, Programme on Women's Economic, Social and Cultural Rights, Right to Education Project, Uganda National NGO

Forum, Uganda Land Alliance, Venezuelan Association for an Alternative Sexual Education;

(c) Fifty-sixth session: Action by Christians Against Torture Burundi, Article 19 Myanmar, Assemblée Mondiale Amazighe, Association Democratique des Femmes du Maroc, Association for the Promotion of Human Rights Burundi, Association National Roma Centrum, Association pour la Paix et les Droits de l'Homme Burundi, Azetta Amazigh Morocco, Children in Wales, Centre de conseils et d'appui pour les jeunes en matière de droits de l'homme, Congres Mondial Amazigh, Društvo STO/STT — Association FTT, Global Human Rights Clinic, Greek Helsinki Monitor, Human Dignity Foundation, International Disability Alliance, Association marocaine des droits humains, Pan Africa ILGA, Society against Sexual Orientation Discrimination, Unrepresented Nations & Peoples Organization, Western Sahara Resource Watch.

D. Pre-sessional working group

9. The Economic and Social Council, in its resolution 1988/4 of 24 May 1988, authorized the establishment of a pre-sessional working group composed of five members of the Committee, to be appointed by the Chair of the Committee to meet for up to one week prior to each session. By decision 1990/252 of 25 May 1990, the Council authorized the meetings of the working group to be held one to three months prior to a session of the Committee.

10. The Chair of the Committee, in consultation with the members of the Bureau, designated the following individuals as members of the pre-sessional working group to meet:

The fifty-fifth pre-sessional working group:

Zdzislaw **Kedzia**

Mohamed Ezzeldin **Abdel-Moneim**

Mikel **Mancisidor de la Fuente** (Chair)

Lydia Carmelita **Ravenberg**

Waleed M. **Sadi**

The fifty-sixth pre-sessional working group:

Clément **Atangana**

Chandrashekhar **Dasgupta**

Zdzislaw **Kedzia**

Renato Zerbini **Ribeiro Leao** (Chair)

Nicolaas **Schrijver**

11. The pre-sessional working group held its meetings at the United Nations Office at Geneva from 9 to 13 March 2015 and from 12 to 16 October 2015. The working group identified additional issues that could be addressed to the reporting States and lists of such questions were transmitted to the permanent missions of the States concerned.

E. Election of officers

12. In accordance with rule 14 of the Committee's rules of procedure, the Committee, at its first meeting of its fifty-fourth session on 23 February 2015, elected the members of its Bureau, as follows:

Chair:	Waleed **Sadi**
Vice-Chairs:	Aslan **Abashidze**
	Mikel **Mancisidor de la Fuente**
	Renato **Zerbini Leão**
Rapporteur:	Ariranga G. **Pillay**

F. Organization of work

13. In accordance with rule 8 of its rules of procedure, the Committee considered the provisional agenda and tentative programme of work for its fifty-fourth, fifty-fifth and fifty-sixth sessions at the first meeting of each session and approved them, as amended, during consideration.

G. Next sessions

14. In accordance with the established schedule, taking into account the additional meeting time pursuant to General Assembly resolution 68/268, the fifty-seventh, fifty-eighth and fifty-ninth sessions will take place at the United Nations Office at Geneva from 22 February to 4 March 2016, from 6 to 24 June 2016 and from 19 September to 7 October 2016 respectively.

H. Reports of States parties scheduled for consideration by the Committee on Economic, Social and Cultural Rights at its upcoming sessions

15. In accordance with rule 61, paragraph 2, of the rules of procedure of the Committee, the reports submitted by States parties under article 16 of the Covenant are, in principle, scheduled for consideration in the order in which they have been received by the Secretary-General. As at 9 October 2015, the closing date of the fifty-sixth session, the Committee had received the following reports, which it decided to consider at its fifty-seventh, fifty-eighth and fifty-ninth sessions.

Fifty-seventh session (22 February-4 March 2016)	
Canada	E/C.12/CAN/6
Kenya	E/C.12/KEN/2-5
Namibia	E/C.12/NAM/1

Fifty-eighth session (6-24 June 2016)	
Angola	E/C.12/AGO/4-5

Fifty-eighth session (6-24 June 2016)	
Burkina Faso	E/C.12/BFA/1
France	E/C.12/FRA/4
Honduras	E/C.12/HND/2
Sweden	E/C.12/SWE/6
The former Yugoslav Republic of Macedonia	E/C.12/MKD/2-4
United Kingdom of Great Britain and Northern Ireland	E/C.12/GBR/6

Fifty-ninth session (19 September-7 October 2016)	
Costa Rica	E/C.12/CRI/5
Cyprus	E/C.12/CYP/6
Dominican Republic	E/C.12/DOM/4
Lebanon	E/C.12/LBN/2
Philippines	E/C.12/PHL/5-6
Poland	E/C.12/POL/6
Tunisia	E/C.12/TUN/3
Yemen	E/C.12/YEM/3

16. The Committee has decided to look into the situation of long-overdue reports and indicates below which States have long-overdue initial reports. At present 29 States parties have initial reports overdue for submission to the Committee. Of those reports, 20 are more than 10 years overdue. The list of States parties with initial reports that are overdue by more than 10 years is as follows: Bangladesh, Cabo Verde, Central African Republic, the Congo, Côte d'Ivoire, Dominica, Eritrea, Equatorial Guinea, Ghana, Grenada, Guinea, Guinea-Bissau, Lesotho, Malawi, Mali, Niger, Saint Vincent and the Grenadines, Seychelles, Sierra Leone and Somalia.

17. As at 9 October 2015, the number of reports submitted and pending consideration before the Committee was 28.

Chapter II
Overview of the present working methods of the Committee on Economic, Social and Cultural Rights

18. The present chapter is aimed at providing a concise and up-to-date overview and explanation of the way in which the Committee carries out its various functions, including information about recent developments in its working methods. It is also intended to provide information on the impact of measures adopted by the Committee to address the backlog. It is designed to make the current practice of the Committee more transparent and

readily accessible to States parties and others interested in the implementation of the Covenant.

19. The Committee has been making a concerted effort to devise appropriate working methods that adequately reflect the nature of the tasks with which it has been entrusted. In the course of its fifty-one sessions it has sought to modify and develop those methods in the light of its experience. Those methods will continue to evolve taking into account General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, adopted on 9 April 2014.

A. Impact of measures adopted by the Committee to address the backlog

20. Additional meeting time granted to the Committee in 2013 and 2014 and measures adopted by the Committee have resulted in the reduction of the backlog, as reported in 2015. In addition, and following the adoption of General Assembly resolution 68/268, the Committee now also has additional meeting time for the period 2015-2017 which will allow the Committee to consider up to twenty reports per year.

21. While the Committee is progressively dealing with the backlog, it cannot anticipate with certainty the number of reports to be submitted annually and the backlog which may result therefrom.

B. General reporting guidelines

22. The Committee attaches major importance to the need to structure the reporting process and the dialogue with the representatives of each State party in such a way as to ensure that the issues of principal concern to the State party are dealt with in a methodical and informative manner. For this purpose, in 2008 the Committee adopted revised reporting guidelines on treaty-specific documents to be submitted by States parties under articles 16 and 17 of the Covenant,[1] with a view to assisting States parties in the reporting process and improving the effectiveness of the monitoring system as a whole, particularly by emphasizing the need for States parties to report on the impact of the measures taken to respect, protect and fulfil the rights enshrined in the Covenant.

C. Examination of the reports of States parties

1. Work of the pre-sessional working group

23. A pre-sessional working group meets for five days prior to each session of the Committee. It is composed of five members of the Committee nominated by the Chair, taking account of the desirability of a balanced geographical distribution and other relevant factors.

24. The principal purpose of the working group is to identify in advance additional questions that will assist the Committee in preparing for the dialogue with the representatives of the reporting States. The aim is to improve the efficiency of the system

[1] *Official Records of the Economic and Social Council, 2009, Supplement No. 2* (E/2009/22-E/C.12/2008/3), annex VIII.

and to ease the task of the representatives of States parties by facilitating more focused preparations for the discussion.[2]

25. With regard to its own working methods, the working group, in the interests of efficiency, allocates to each of its members the initial responsibility for undertaking a detailed review of a specific State party report and for putting before the working group a preliminary list of issues. Each draft by a country rapporteur is revised and supplemented on the basis of observations by the other members of the working group and the final version of the list is adopted by the working group as a whole. This procedure applies equally to both initial and periodic reports.

26. In preparation for the pre-sessional working group, the Committee has asked the secretariat to place at the disposal of its members a country analysis, as well as all pertinent documents containing information relevant to each of the reports to be examined. For this purpose, the Committee invites all concerned individuals, bodies and NGOs to submit relevant and appropriate documentation to the secretariat.

27. The lists of issues drawn up by the working group are sent to the State party concerned.

2. Consideration of reports

28. In accordance with the established practice of each of the human rights treaty monitoring bodies, representatives of the reporting States should be present at the meetings of the Committee when their reports are examined, in order to ensure a constructive dialogue. The following procedure is generally observed: the representative of the State party is invited to introduce the report by making brief comments and providing any new information that may be relevant to the dialogue and the Rapporteur of the Committee for the State Party introduces the dialogue making a concise appreciation of the report, signalling gaps and advancing a set of initial questions. The Committee then considers the report by clusters of articles (usually articles 1-5, 6-9, 10-12 and 13-15), taking particular account of the replies furnished in response to the list of issues. The Chair will normally invite questions or comments from members of the Committee and then invite the representatives of the State party to reply immediately to questions that do not require further reflection or research. Any remaining questions are taken up at a subsequent meeting or, if necessary, may be the subject of additional information provided to the Committee in writing within a given time frame. Members of the Committee are free to pursue specific issues in the light of the replies thus provided, but avoiding repetition of questions already posed or answered, or speaking for more than five minutes in any one intervention.

29. The final phase of the examination of the report by the Committee consists of the drafting and adoption of its concluding observations. With the assistance of the secretariat, the country rapporteur prepares a draft set of concluding observations for consideration by the Committee, which is circulated for comments prior to adoption. At a later stage, the Committee then discusses the draft, again in private session, with a view to adopting it by consensus.

30. The concluding observations, once formally adopted, are forwarded as soon as possible to the State party concerned and made public.

31. At its forty-sixth session in May 2011, the Committee agreed, in principle and on a temporary basis, to devote only two meetings to the consideration of periodic reports, with

[2] Ibid., *1988, Supplement No. 4* (E/1988/14-E/C.12/1988/4), chap. IV, para. 361.

a view to preventing the backlog of reports pending consideration from growing. Accordingly, at the fifty-fourth, fifty-fifth and fifty-sixth sessions, the Committee considered the periodic reports of Chile, Greece, Guyana, Iraq, Ireland, Italy, Kyrgyzstan, Mongolia, Morocco, Paraguay, the Sudan, Tajikistan and the Bolivarian Republic of Venezuela, over two meetings only. The consideration of the initial reports of Burundi, the Gambia, Thailand and Uganda was allocated three meetings.

3. Comments by States parties on concluding observations

32. Once the Committee has adopted its concluding observations on the report of a State party, and if the latter submits any comments thereon to the Committee, these are made public, as submitted, and listed in the annual report. Comments from States parties are published for information purposes only.

33. During the reporting period, the Committee received comments from Japan on the concluding observations that the Committee had adopted at its fiftieth session (2013) in relation to the third periodic report submitted by Japan (E/C.12/JPN/CO/3).

4. Postponement of the consideration of reports

34. Last-minute requests by States to postpone the consideration of reports that have been scheduled for examination at a particular session are extremely disruptive for all concerned and have in the past caused major problems for the Committee. Accordingly, the long-standing policy of the Committee is not to grant such requests and to proceed with its consideration of all scheduled reports, even in the absence of a representative of the State party concerned. The initial report of the Gambia was considered at the fifty-fourth session, in the absence of representatives of the State party from the capital.

D. Follow-up procedure in relation to the consideration of reports

35. At its 53rd meeting, held on 1 December 1999 (twenty-first session), the Committee decided that:

(a) In all concluding observations, the Committee would request the State party to inform the Committee, in its next periodic report, of the steps taken to implement the recommendations in the concluding observations;

(b) Where appropriate, the Committee might, in its concluding observations, make a specific request to a State party to provide more information or statistical data at a time prior to the date on which the next periodic report is due to be submitted;

(c) Where appropriate, the Committee might, in its concluding observations, ask the State party to respond to any pressing specific issue identified in the concluding observations prior to the date on which the next report is due to be submitted;

(d) Any information provided in accordance with (b) and (c) above would be considered by the next meeting of the pre-sessional working group;

(e) In general, the pre-sessional working group could recommend that the Committee take one of the following measures:

(i) That the Committee take note of such information;

(ii) That the Committee adopt specific additional concluding observations in response to that information;

(iii) That the matter be pursued through a request for further information;

(iv) That the Chair of the Committee be authorized to inform the State party, in advance of the next session, that the Committee would take up the issue at its next session and that, for that purpose, the participation of a representative of the State party in the work of the Committee would be welcome;

(f) If the information requested in accordance with (b) and (c) above is not provided by the specified date, or is patently unsatisfactory, the Chair, in consultation with the members of the Bureau, could be authorized to follow up the matter with the State party.

36. In situations in which the Committee considers that it is unable to obtain the information it requires on the basis of the above-mentioned procedures, it may decide to adopt a different approach. In particular, the Committee may request that the State party concerned accept a visit from one or two members of the Committee.

37. This procedure has already been applied in relation to two States parties and the Committee considers the experience to have been a very positive one in both instances.

E. Procedure in response to non-submitted and considerably overdue reports

38. The Committee believes that persistent non-reporting by States parties undermines one of the foundations of the Covenant.

39. Accordingly, the Committee resolved at its sixth session to consider the situation concerning the implementation of the Covenant in respect of each State party whose reports were very significantly overdue. At its seventh session, it resolved to begin scheduling consideration of such reports at its future sessions and to notify the States parties concerned. At its thirty-sixth session, the Committee adopted the following procedure:

(a) To review three lists of States parties whose reports were overdue;

(i) States parties with reports that were due within the past 8 years;

(ii) States parties with reports that were due from 8 to 12 years previously;

(iii) States parties with reports that were due more than 12 years previously;

(b) To send reminders to States parties as follows:

(i) The first letter would be sent to all States parties about the dates on which their reports were due; those with overdue reports would be reminded and requested to submit those reports as soon as possible;

(ii) A second letter would be sent to those States parties with the most overdue reports that did not respond to the reminder, informing them that the Committee planned to consider the overdue report(s) at a specific session in the future, and requesting that those reports be submitted in sufficient time to allow a constructive dialogue to take place;

(iii) A third letter would be sent if no response was received to the second letter, confirming that the Committee would proceed to review the implementation of the Covenant in the State party, in the absence of a report, at the session communicated in the earlier letter in the light of all available information;

(c) In situations where the State party concerned indicated that a report would be provided to the Committee, and upon a request from the State party, the Chair might decide

to defer consideration of the implementation of the Covenant in the State party for one session.

F. Submission of several reports in one document

40. At its 55th meeting, held on 22 November 2006 during its thirty-seventh session, the Committee reviewed the situation of overdue reports, including recent submissions of several long-overdue reports, and decided as follows:

(a) The Committee would accept from States parties that had never submitted a report under the Covenant, a one-time submission of up to three reports consolidated in a single document, in order to bring them up to date with their reporting obligations;

(b) A consolidated report should contain a general overview of important developments in relation to the implementation of the Covenant over the entire period covered by the report submitted and present up-to-date detailed information on the present situation.

41. At its 28th meeting, held on 18 May 2012, during its forty-eighth session, the Committee decided to review the situation of accepting combined reports. The Committee decided that each State party report would constitute one report rather than be considered as a combination of several reports. The Committee also decided to define the due date of the next periodic report as five years following the date of the dialogue with the State party, rather than generate due dates every five years, irrespective of the date of the submission of the report or of the dialogue. It is to be noted that this is a temporary measure that takes into account the delays caused by the significant backlog of reports pending consideration before the Committee.

G. Action by the Committee with regard to information on economic, social and cultural rights received from sources other than States parties

1. Information provided in connection with the consideration by the Committee of a State party report

42. The Committee also takes into account the information provided to it by sources other than the State party in connection with its consideration of a State party report. That information, being an integral part of the constructive dialogue with a State party, is made available by the secretariat to the State party concerned through the web page of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in advance of the consideration by the Committee of the report of that State party.

2. Information received following consideration by the Committee of a State party report and adoption of concluding observations

43. On various occasions in the past, the Committee has received information, mainly from NGOs, after consideration of a State party report and adoption of concluding observations thereon. In practice, this has generally been follow-up information on the conclusions and recommendations of the Committee. Not being in a position to consider and act upon such information without reopening its dialogue with a State party, the Committee will consider the information received from sources other than a State party only in cases where such information has been specifically requested in its concluding observations.

44. The Committee considers that, following its consideration of a State party report and the adoption of its concluding observations, the primary responsibility for their implementation lies with the State party, which is bound to report on measures taken in this respect to the Committee in its next periodic report. The Committee therefore recommends that the information referred to in the preceding paragraph be submitted by the authors directly to the national competent authorities with a view to assisting them in implementing the concluding observations of the Committee.

3. Information provided with respect to non-reporting States parties

45. The Committee has also received information from international and national NGOs on the status of the implementation of economic, social and cultural rights by:

(a) States parties that have not submitted a report at all since their ratification of the International Covenant on Economic, Social and Cultural Rights and its entry into force;

(b) States parties with long-overdue periodic reports.

46. In both cases, the failure of States parties to comply with their obligations under the Covenant, and in particular with their reporting obligations, has made it impossible for the Committee to monitor effectively the implementation by those States of the economic, social and cultural rights set forth in the Covenant, in accordance with the mandate conferred on the Committee by the Economic and Social Council.

47. At its thirtieth session in May 2003, the Committee, in a spirit of open and constructive dialogue with States parties, decided that, in both the cases referred to above, the Committee might, through a letter from the Chair, bring to the attention of the State party concerned the information received and urge the State party to submit its overdue report without further delay, addressing the issues raised in the submissions of NGOs. That letter would also be made available to the NGOs concerned upon request.

H. Day of general discussion

48. The Committee may decide to devote one day of a session, usually the Monday of the third week, to a general discussion of a particular right or a particular aspect of the Covenant. The purpose is threefold: such a general discussion assists the Committee in developing in greater depth its shared understanding of the relevant issues; it enables the Committee to encourage inputs into its work from all interested parties; and it helps the Committee to lay the basis for a future general comment.

I. Other consultations

49. The Committee has sought to coordinate its work with that of other bodies to the greatest extent possible and to draw as widely as it can on available expertise in the fields of its competence. The Committee has also sought to draw on the expertise of the relevant specialized agencies and United Nations bodies, as well as of special procedures mandate holders of the Human Rights Council and chairs and members of the working groups and other bodies of the Council.

50. During its fifty-fifth session, the Committee held meetings with the Special Rapporteur on extreme poverty and human rights, the Independent Expert on human rights and international solidarity and the Special Rapporteur on the rights of indigenous peoples, to discuss issues of common interest.

J. Participation of non-governmental organizations in the work of the Committee

51. In order to ensure that the Committee is as well-informed as possible, it provides opportunities for NGOs to submit relevant information to it.[3] They may do so in writing at any time prior to the consideration of the report of a given State party. The pre-sessional working group is also open to the submission of information in person or in writing from any NGO, provided that it relates to matters on the agenda of the working group. In addition, as of November 2012, the Committee sets aside part of the first two (or three) Mondays at each of its sessions to enable representatives of NGOs to provide oral information. Such information should: (a) focus specifically on the provisions of the Covenant; (b) be of direct relevance to matters under consideration by the Committee; (c) be credible; (d) not be abusive. The relevant meeting is open and provided with interpretation and press services.

52. The Committee has requested the secretariat to ensure that written information formally submitted to it by NGOs in relation to the consideration of a specific State party report is made available as soon as possible to the representatives of the State party concerned. Prior to a session, this is normally done by posting it on the OHCHR website. The Committee therefore assumes that if any of this information is referred to during the dialogue with the State party, the latter will already be aware of the information.

K. General comments

53. In response to an invitation addressed to it by the Economic and Social Council, the Committee decided to begin, as from its third session, the preparation of general comments on the various rights and provisions of the Covenant, in particular with a view to assisting States parties to fulfil their obligations under the Covenant. As at 9 October 2015, the Committee had adopted 21 general comments (E/2013/22, annex III, and www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx).

54. Through its general comments, the Committee endeavours to make the experience gained through examination of the reports of States parties available for the benefit of all States parties, in order to assist and promote the further implementation of the Covenant; draw their attention to inadequacies disclosed by a large number of reports; suggest improvements in the reporting procedures; and encourage States parties, international organizations and the specialized agencies concerned to achieve progressively and effectively the full realization of the rights recognized in the Covenant. Whenever necessary, the Committee may, in the light of the experience of States parties and of the conclusions drawn therefrom, revise and update its general comments.

55. At its twenty-first session, the Committee adopted the outline for drafting general comments on specific rights enshrined in the Covenant.[4] The Committee agreed that the subject matter of a particular general comment would influence the overall structure of that comment and observed that the outline was not intended to be strictly adhered to. However, the outline provided useful signposts and a checklist of issues to be considered in the process of drafting a general comment. In this respect, the outline would assist in ensuring

[3] *Official Records of the Economic and Social Council, 2001, Supplement No. 2* (E/2001/22-E/C.12/2000/21), annex V.

[4] *Official Records of the Economic and Social Council, 2000, Supplement No. 2* (E/2000/22-E/C.12/1999/11 and Corr.1), annex IX.

consistency in the content, format and ambit of general comments to be adopted by the Committee. The Committee emphasized the importance of ensuring that general comments were reader-friendly, of reasonable length and readily understandable to a broad range of readers, primarily States parties to the Covenant. The outline would assist in ensuring consistency and clarity in the structure of the general comments, thus promoting their accessibility, and strengthening the authoritative interpretation of the Covenant provided by the Committee through its general comments.

56. At its fifty-second session, Mr. Ribeiro Leão, who the Committee had entrusted with the task of reviewing the format of the general comments, taking into account past experience and present challenges in drafting them, presented some preliminary information about this process.

L. Statements and letters adopted by the Committee

57. With a view to assisting States parties to the Covenant, the Committee adopts statements to clarify and confirm its position with respect to major international developments and issues with a bearing on the implementation of the Covenant.

58. On 6 March 2015, the final day of the fifty-fourth session, the Committee adopted a statement on social protection floors: an essential element of the right to social security and of the sustainable development goals (E/C.12/2015/1). In the statement, the Committee recommended the establishment of social protection floors guaranteeing legal entitlements to individuals as an initial element to be progressively developed into a universal and comprehensive social security system. It also highlighted the link between the right to social security under the Covenant, as elaborated in the Committee's general comment No. 19 and International Labour Organization recommendation No. 202 on social protection floors. The Committee further intended to contribute to the inclusion of social protection floors in the Sustainable Development Goals (Goal 1).

59. As at 9 October 2015, the Committee had adopted 22 statements. The Chair of the Committee has also addressed open letters to States Parties to the Covenant on issues of particular interest, such as on the post-2015 development agenda and on economic, social and cultural rights and the economic and financial crisis and related austerity measures (see E/2013/22-E/C.12/2012/3, annexes IV and VI, respectively, and www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx).

Chapter III
Submission of reports by States parties under articles 16 and 17 of the Covenant

60. In accordance with rule 58 of its rules of procedure, the Committee, at its 21st meeting on 21 September 2015, considered the status of submission of reports under articles 16 and 17 of the Covenant.

61. In that connection, the Committee had before it the following documents:

(a) Note by the Secretary-General on the revised general guidelines regarding the form and contents of reports to be submitted by States parties (E/C.12/2008/2);

(b) Note by the Secretary-General on the States parties to the Covenant and the status of submission of reports as at 27 July 2015 (E/C.12/56/2).

62. The Secretary-General informed the Committee that, in addition to the reports scheduled for consideration by the Committee at its fifty-fourth, fifty-fifth and fifty-sixth sessions (see paras. 63, 64 and 65 below), between 28 November 2014 and 9 November 2015, he had received the following reports submitted under articles 16 and 17 of the Covenant by States parties:

The initial report of Burkina Faso, the second periodic report of Lebanon, the third periodic report of Tunisia, and the sixth periodic report of Poland.

Chapter IV
Consideration of reports submitted by States parties under articles 16 and 17 of the Covenant

63. At its fifty-fourth session, the Committee examined the following reports submitted by three States parties under articles 16 and 17 of the Covenant:

Initial report	
Gambia	E/C.12/GMB/1
Combined second and third periodic reports	
Tajikistan	E/C.12/TJK/2-3
Fourth periodic report	
Paraguay	E/C.12/PRY/4

64. At its fifty-fifth session, the Committee examined the following reports submitted by seven States parties under articles 16 and 17 of the Covenant:

Initial report	
Uganda	E/C.12/UGA/1
Combined initial and second periodic reports	
Thailand	E/C.12/THA/1-2
Combined second and third periodic reports	
Kyrgyzstan	E/C.12/KGZ/2-3
Third periodic report	
Ireland	E/C.12/IRL/3
Venezuela (Bolivarian Republic of)	E/C.12/VEN/3
Fourth periodic report	
Chile	E/C.12/CHL/4
Mongolia	E/C.12/MNG/4

65. At its fifty-sixth session, the Committee examined the following reports submitted by seven States parties under articles 16 and 17 of the Covenant:

Initial report	
Burundi	E/C.12/BDI/1
Second periodic report	
Greece	E/C.12/GRC/2
Sudan	E/C.12/SDN/2
Combined second, third and fourth periodic reports	
Guyana	E/C.12/GUY/2-4
Fourth periodic report	
Iraq	E/C.12/IRQ/4
Morocco	E/C.12/MAR/4
Fifth periodic report	
Italy	E/C.12/ITA/5

66. At its eighth session, the Committee decided to discontinue its practice of including in its annual report summaries of the consideration of country reports. Reference is made, in this regard, to the relevant summary records of the meetings of the Committee at which the reports were considered. The Committee prepared concluding observations on each of the reports considered. The concluding observations listed below are accessible at www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx and on the official document system of the United Nations. In accordance with established Committee practice, members do not take part in the dialogue with the delegation, the drawing up or the adoption of the concluding observations relating to the report of their own country.

Fifty-fourth session concluding observations

State party	*Symbol*
Gambia	E/C.12/GMB/CO/1
Paraguay	E/C.12/PRY/CO/4
Tajikistan	E/C.12/TJK/CO/2-3

Fifty-fifth session concluding observations

State party	*Symbol*
Chile	E/C.12/CHL/CO/4
Ireland	E/C.12/IRL/CO/3
Kyrgyzstan	E/C.12/KGZ/CO/2-3
Mongolia	E/C.12/MNG/CO/4
Thailand	E/C.12/THA/CO/1-2
Uganda	E/C.12/UGA/CO/1

State party	*Symbol*
Venezuela (Bolivarian Republic of)	E/C.12/VEN/CO/3

Fifty-sixth session concluding observations

State party	*Symbol*
Burundi	E/C.12/BDI/CO/1
Greece	E/C.12/GRC/CO/2
Guyana	E/C.12/GUY/CO/2-4
Iraq	E/C.12/IRQ/CO/4
Italy	E/C.12/ITA/CO/5
Morocco	E/C.12/MAR/CO/4
Sudan	E/C.12/SDN/CO/2

Chapter V
Activities of the Committee under the Optional Protocol

67. At the time of adoption of the present report, the Committee had registered eight communications pursuant to the Optional Protocol since its entry into force. At its fifty-fifth session, the Committee adopted its first Views on the merits in respect of communication No. 2/2014, *I.D.G. v. Spain* (E/C.12/55/D/2/2014), in which the Committee found a violation of article 11 (1), read in conjunction with article 2 (1) of the Covenant. At its fifty-sixth session, the Committee also considered the admissibility of communications No. 6/2015, *V.T.F. and A.F.L. v. Spain* (E/C.12/56/D/6/2015) and No. 8/2015, *L.A.M.C. v. Spain* (E/C.12/56/D/8/2015) and declared them inadmissible. Five communications are currently pending consideration, of which one was declared admissible at the fifty-third session of the Committee.

68. At its fifty-fourth session, the Committee decided to increase the number of members on the working group on communications to six, with at least one member from each regional group. The composition of the working gorup as follows: Mohamed Ezzeldin Abdel-Moneim, Olivier De Schutter, Zdzislaw Kedzia, Lydia Ravenberg, Heisoo Shin and Rodrigo Uprimny. Ms. Shin was elected as Chair-Coordinator of the working group. Ms. Shin presented reports on the activities of the working group to the Committee at fifty-fourth, fifty-fifth and fifty-sixth sessions. During those sessions, the working group on communication held six meetings outside the plenary and discussed activities under the Optional Protocol.

Chapter VI
Substantive issues arising in the implementation of the Covenant

A. Day of general discussion on draft general comment on article 7

69. At the 44th meeting of its fifty-fifth session, on 16 June 2015, the Committee held its general discussion on the draft general comment on article 7 of the Covenant on the right to just and favourable conditions of work. The discussion provided an opportunity to discuss different sections of the draft and exchange views with a variety of stakeholders. Over thirty written submissions were also received, including from those who could not participate in person. Input and discussions will be taken into account by the Committee as the draft general comment is further developed. A summary of the discussion is available in the records of the meeting (see E/C.12/2015/SR.44).

B. Statement on social protection floors: an essential element of the right to social security and of the sustainable development goals

70. On 6 March 2015, the final day of the fifty-fourth session, the Committee adopted a statement on social protection floors: an essential element of the right to social security and of the sustainable development goals. In the statement, the Committee recommended the establishment of social protection floors guaranteeing legal entitlements to individuals as an initial element to be progressively developed into a universal and comprehensive social security system. It also highlighted the mutually reinforcing nature of the Committee's general comment No. 19 on the right to social security and International Labour Organization recommendation No. 202 on social protection floors. The Committee further expressed the hope that the statement would contribute to the inclusion of social protection floors in the Sustainable Development Goals as an important means of combating poverty and discrimination, with a view to achieving the full realization of the rights enshrined in the Covenant.

Chapter VII
Additional decisions adopted and matters discussed by the Committee at its fifty-fourth, fifty fifth and fifty-sixth sessions

A. Participation in intersessional meetings

71. Members of the Committee continued to participate in, and/or contribute in different capacities to, initiatives for a better understanding and implementation of the Covenant, promoted by different stakeholders. Requests for such participation are addressed to the members either directly or through the secretariat.

B. Future general comments and statements

72. The Committee continued to discuss work on general comments. With respect to the general comment related to article 7 of the Covenant on just and favourable conditions of work, Ms. Bras Gomes and Mr. Ribeiro Leão, the rapporteurs for that general comment,

informed the Committee of the activities they had undertaken to date and presented a preliminary outline. Following positive feedback from the Committee, work on a first draft was under way and the draft was due for discussion in 2015. Regarding the drafting of the general comment on the right to sexual and reproductive health, for which Ms. Shin accepted the task of rapporteur, core elements for that general comment were presented to the Committee at the fifty-second session. The members exchanged views on the core elements paper, which was generally very well received. At the fifty-third session, a discussion of a first draft circulated by Ms. Shin in advance of the session, in which she replied to initial questions, took place among the members. Discussions on that general comment will continue at the next session.

73. Regarding proposals for other general comments, Mr. Kedzia, rapporteur for a general comment on State obligations in the context of corporate activities, circulated a concept note during the fifty-third session, which was well received by Committee members, who asked the rapporteur for clarification on some issues and that he pursue work on that general comment. In relation to the other two proposed general comments, on article 15, paragraph 1 (b) on the right to enjoy the benefits of scientific progress and its applications, (rapporteur, Mr. Mancisidor); and on the pertinence of the Covenant rights to the environment and development (rapporteur, Mr. Schrijver), background research is being carried out.

C. Working methods of the Committee

74. The Committee again discussed certain aspects of its working methods during the session, in the light of the adoption by the General Assembly of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system on 9 April 2014.

75. At its fifty-fourth session, the Committee had before it the report of the Chairs of the human rights treaty bodies on their twenty-sixth meeting (A/69/285), with the annexes thereto, which had been briefly discussed during its previous session. The annexes relate to the simplified reporting procedure, the constructive dialogue with States parties and the framework for the concluding observations. The Committee endorsed the annexes contained in the report of the meeting of the Chairs, with reservations on the part of some members.

76. As agreed at its fifty-second and fifty-third sessions, with a view to piloting the simplified reporting procedure for States whose third periodic reports were due in 2017, nine States identified were sent a note verbale offering them the opportunity to avail themselves of that procedure. As of 9 October 2015, four of those nine States had responded. It is noteworthy that several other States requested the possibility to avail themselves of the procedure.

77. At the fifty-fifth session, the Committee had before it material prepared for the twenty-seventh meeting of Chairpersons, including the agenda (HRI/MC/2015/1) and background material related to reprisals (HRI/MC/2015/3), the process of developing general comments (HRI/MC/2015/4) and reporting compliance (HRI/MC/2015/5). The Committee also had before it draft guidelines on reprisals which were being submitted for discussion to the twenty-seventh meeting of the Chairs of the human rights treaty bodies.

78. The Committee took note of the agenda and background material, and discussed the draft guidelines on reprisals, conveying views to the Chair.

79. The Committee again discussed other aspects of the General Assembly resolution which are related more closely to its work, such as the issues of working languages, as the

previous decision to maintain four working languages, exceptionally, could not be implemented as it was understood. The Committee was therefore requested to identify three working languages. The Committee thus agreed to the following:

(a) The Committee, having considered paragraph 30 of General Assembly resolution 68/268 relating to working languages, decided to authorize the Chair of the Committee to raise the issue of due need to keep all the six official United Nations languages as the working languages of the treaty bodies at the next meeting of the Chairs of the human rights treaty bodies, with a view to coordinating the position of the treaty bodies on that matter of principle;

(b) Meanwhile being obliged to abide by the decision contained in paragraph 30 of General Assembly resolution 68/268, the Committee states that its decisions regarding the fourth working language to be requested on an exceptional basis in further sessions of the Committee will be without any prejudice to its position of principle regarding the use of all the six official United Nations languages, nor will they constitute a precedent, given the special nature of this treaty body.

80. At the fifty-sixth session, the Chair reported back to the Committee about the meeting of chairpersons of the human rights treaty bodies, including the recommendations contained therein, as well as on the Guidelines against Intimidation or Reprisals (San José Guidelines) on reprisals endorsed by the Chairs.

81. Regarding the time allocated for briefings, the Committee agreed to allow time for interaction with civil society, United Nations bodies and other partners on the first day of the week or the first two or three weeks of each session, as the case may be, owing to the higher number of reports being considered at each session and in accordance with practices observed by other treaty bodies. The Committee is of the view that this will contribute to increasing the impact of the reporting process at the national level through the increased engagement of national-level stakeholders before and after its consideration of State party reports.

Chapter VIII
Other activities of the Committee in 2015

82. On 4 March 2015 the Committee members were invited by the Geneva Academy on International Humanitarian Law and Human Rights, in the context of the platform for members of treaty bodies, for an informal discussion on the theme "The developments of the reasonableness standard in domestic law: lessons learned for the Optional Protocol to the Covenant". This topic was coordinated with the International Network for Economic, Social and Cultural Rights, who had participated in the planning and preparation of the discussion and facilitating participation of Jackie Dugard (South Africa) and Bruce Porter (Canada), who made presentations.

83. On 24 September 2015 the Committee members were invited once again by the Geneva Academy on International Humanitarian Law and Human Rights, in the context of the platform for members of treaty bodies, for an informal discussion, this time to exchange views with their colleagues from the Committee on the Rights of the Child. On that occasion, the discussion focused on public spending, and specifically on the draft general comment of the Committee on the Rights of the Child on public spending and the rights of the child. The discussion also benefited from presentations by Aoife Nolan, from the University of Nottingham and by Joanna Bourke Martignoni, from the Geneva Academy.

Chapter IX
Adoption of the report

84. At its 78th meeting, held on 9 October 2015, the Committee considered its draft report to the Economic and Social Council on the work of its fifty-fourth, fifty-fifth and fifty-sixth sessions. The Committee adopted the report as amended during the discussions.

Annex I

Members of the Committee

Name	*Nationality*	*Term expires on 31 December*
Aslan **Abashidze** (Vice-Chair)	Russian Federation	2018
Mohamed Ezzeldin **Abdel-Moneim**	Egypt	2016
Clement **Atangana**	Cameroon	2018
Maria-Virginia **Bras Gomes**	Portugal	2018
Shiqiu **Chen**	China	2016
Chandrashekhar **Dasgupta**	India	2018
Olivier **de Schutter**	Belgium	2018
Zdzislaw **Kedzia**	Poland	2016
Azzouz **Kerdoun**	Algeria	2018
Mikel **Mancisidor de la Fuente** (Vice-Chair)	Spain	2016
Sergei **Martynov**	Belarus	2016
Ariranga Govindasamy **Pillay** (Rapporteur)	Mauritius	2016
Lydia **Ravenberg**	Suriname	2016
Renato Zerbini **Ribeiro Leão** (Vice-Chair)	Brazil	2018
Waleed **Sadi** (Chair)	Jordan	2016
Nicolaas Jan **Schrijver**	Netherlands	2016
Heisoo **Shin**	Republic of Korea	2018
Rodrigo **Uprimny**	Colombia	2018

Annex II

Agendas of the Committee at its fifty-fourth, fifty-fifth and fifty-sixth sessions

A. Agenda of the fifty-fourth session of the Committee on Economic, Social and Cultural Rights (23 February-6 March 2015)

1. Election of Chair and other officers of the Committee.
2. Adoption of the agenda.
3. Organization of work.
4. Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights.
5. Follow-up to the consideration of reports under articles 16 and 17 of the Covenant.
6. Relations with United Nations organs and other treaty bodies.
7. Consideration of reports:
   (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant;
   (b) Reports submitted by specialized agencies in accordance with article 18 of the Covenant.
8. Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant.
9. Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies.
10. Consideration of communications under the Optional Protocol to the Covenant.
11. Miscellaneous matters.

B. Agenda of the fifty-fifth session of the Committee on Economic, Social and Cultural Rights (1-19 June 2015)

1. Adoption of the agenda.
2. Organization of work.
3. Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights.
4. Follow-up to the consideration of reports under articles 16 and 17 of the Covenant.
5. Relations with United Nations organs and other treaty bodies.
6. Consideration of reports:
   (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant;

(b) Reports submitted by specialized agencies in accordance with article 18 of the Covenant.

7. Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant.

8. Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies.

9. Consideration of communications under the Optional Protocol to the Covenant.

10. Miscellaneous matters.

C. Agenda of the fifty-sixth session of the Committee on Economic, Social and Cultural Rights (21 September-9 October 2014)

1. Adoption of the agenda.

2. Organization of work.

3. Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights.

4. Follow-up to the consideration of reports under articles 16 and 17 of the Covenant.

5. Relations with United Nations organs and other treaty bodies.

6. Consideration of reports:

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant;

(b) Reports submitted by specialized agencies in accordance with article 18 of the Covenant.

7. Submission of reports by States parties in accordance with articles 16 and 17 of the Covenant.

8. Formulation of suggestions and recommendations of a general nature based on the consideration of reports submitted by States parties to the Covenant and by the specialized agencies.

9. Consideration of communications under the Optional Protocol to the Covenant.

10. Miscellaneous matters.

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